

Department of Mental Health  
**TRANSMITTAL LETTER**

<b>SUBJECT</b> Administration and Use of Overtime		
<b>POLICY NUMBER</b> DMH Policy 717.1	<b>DATE</b> OCT 03 2003	<b>TL#</b> 32

**Purpose.** To update the procedures and organization titles for the approval and use of overtime by Department of Mental Health (DMH) employees. Changes include adding the limitation on overtime pay at grade DS-15 level in accordance with the District Personnel Manual, and the procedures to request re-programming of funds when additional overtime funds are needed. Also note that the Request for Authorization of Overtime Work form has been updated and includes a new form number-DMH Form 21.

**Applicability.** Applies to all exempt and non-exempt DMH employees Department-wide (Authority level, Saint Elizabeths Hospital, and the DC Community Services Agency).

**Policy Clearance.** Reviewed by affected responsible staff and cleared through appropriate Mental Health Authority offices and the DMH Policy and Planning Committee.

**Implementation Plans.** A plan of action to implement or adhere to this policy must be developed by designated responsible staff. If materials and/or training are required to implement this policy, these requirements must be part of the action plan. Specific staff should be designated to carry out the implementation and program managers are responsible for following through to ensure compliance. Action plans and completion dates should be sent to the appropriate authority. Contracting Officer Technical Representatives (COTRs) must also ensure that contractors are informed of this policy if it is applicable or pertinent to their scope of work. *Implementation of all DMH policies shall begin as soon as possible. Full implementation shall be completed within sixty (60) days after the date of this policy.*

**Policy Dissemination and Filing Instructions.** Managers/supervisors of DMH must ensure that staff are informed of this policy. Each staff person who maintains policy manuals must ensure that this policy is filed in the blue **DMH** Policy and Procedures Manual.

If any CMHS or DMH policies are referenced in this policy, copies may be obtained from the DMH Policy Support Division by calling (202) 673-7757.

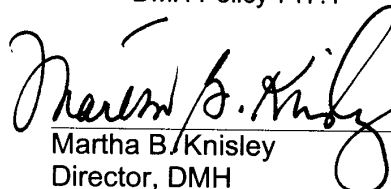
**ACTION**


**REMOVE AND DESTROY**

CMHS Policy 50000.717.5, Administration  
And Use of Overtime, dated November 7, 1990

**INSERT**

DMH Policy 717.1

  
Martha B. Knisley  
Director, DMH

GOVERNMENT OF THE DISTRICT OF COLUMBIA  <b>DEPARTMENT OF MENTAL HEALTH</b>	<b>Policy No.</b> <b>717.1</b>	<b>Date</b> <b>OCT 03 2003</b>	<b>Page 1</b>
	<b>Supersedes</b> CMHS Policy 50000.717.5, Administration and Use of Overtime, dated November 7, 1990		

**Subject: Administration and Use of Overtime**

1. **Purpose.** To outline the procedures and criteria for the use of overtime by Department of Mental Health (DMH) employees in accordance with provisions of the District Personnel Manual (DPM), Chapter 11B, Compensation, and other guidelines specified in Section 3 below.

2. **Applicability.** Applies to all exempt and non-exempt DMH employees Department-wide [Mental Health Authority (MHA), Saint Elizabeths Hospital (SEH), and the DC Community Services Agency (DC CSA)].

3. **Authority.** Rules, regulations and guidelines as set forth in: (1) DPM Instruction 11B-4, Fair Labor Standards Act (FLSA); (2) DPM Chapter 11B, Part II, Subpart 7, Premium Pay; and (3) DPM Chapter 12, Subpart 4, Annual and Sick Leave and Compensatory Time.

4. **Policy.**

4a. The administration and use of overtime within DMH shall be governed by this policy and the rules and guidelines in Section 3 above. Overtime shall be used when service needs demand that employees work outside their scheduled hours of work. Overtime work shall not be performed when there is not a bonafide, justified need.

4b. Generally, employees at the DS-11 level or above shall receive compensatory time off for overtime worked, unless otherwise required by a collective bargaining agreement or FLSA. Positions identified by the DMH Division of Human Resources (DHR) as "shortage categories" are exempt from this rule.

4c. In accordance with DPM Chapter 11B, Part II, Subpart 7.2 I, Limitation on Overtime Pay, "No officer or employee of the District government occupying a position at grade DS-15, or above, should request any compensation for performance of overtime work, unless expressly directed by a superior to perform such overtime work."

4d. When this policy conflicts with the terms and conditions of a collective bargaining agreement, the terms of the collective bargaining agreement shall be the prevailing guidelines.

5. **Authority to Approve Overtime.**

5a. The authority to approve paid overtime and/or compensatory time rests with the DMH Director who has delegated approval authority to:

- DMH Senior Deputy Director, and
- Chief Executive Officers (CEOs) and MHA Deputy Directors (i.e., Office of Accountability, Office of Delivery Systems Management, and Office of Fiscal/Administrative Services).

5b. CEOs and MHA Deputy Directors may delegate approval authority to the next lower organizational level (division or equivalent level) with re-delegations as appropriate (e.g., chief nurse or comparable supervisor). If the use of overtime is violated, a CEO or MHA Deputy Director may withdraw the approval authority from division head(s).

5c. If SEH, DC CSA, or a MHA Office (i.e., Office of Accountability, Office of Delivery Systems Management, and Office of Fiscal/Administrative Services) violates the use of overtime, the DMH Director may withdraw the delegation of approval authority from the CEO or MHA Deputy Director.

5d. Only the DMH Director, Senior Deputy Director, or respective CEO or MHA Deputy Director may approve overtime in excess of twenty (20) hours per person per pay-period.

5e. **If a major DMH component's (SEH, DC CSA, MHA) overtime spending exceeds its approved budget, additional overtime must be approved in advance, in writing, by the DMH Director (see Section 7c below).**

6. **Definitions.** For the purpose of this policy, the following definitions are applicable:

6a. **Overtime Work.** Any work that has been officially ordered or approved to be performed prior to or after the established shift hours or during the prescribed lunch period by an employee covered by the overtime provisions of the Fair Labor Standards Act (FLSA) for the benefit of the Department. To be recognized as overtime work, it must be approved by the appropriate official in advance, in writing, except in the case of an emergency (see Section 9d below).

6b. **Non-Exempt Employees.** Employees who are covered by the minimum wage and overtime provisions of the FLSA (generally DS-1 through DS-10).

6c. **Exempt Employees.** Employees who are not covered by the minimum wage and overtime provisions of the FLSA (generally DS-11 and above) or who are properly classified as executive, administrative, or professional employees.

NOTE: The Division of Human Resources is responsible for determining the exempt and non-exempt status of a position and recording this information on the Optional Form 8 of the Position Description in accordance with DPM Instruction 11B-4, Fair Labor Standards Act.

6d. **Eligible Employees.** DMH employees are eligible to be paid overtime if:

(1) they are DS-10 or below as specified in Section 6b above (Nurses at RN-05/06 levels are exempt from this limitation);

(2) they have no recent history of unusual/excessive uses of leave in conjunction with overtime worked; and

(3) they have worked, on an average, less than forty (40) hours of overtime per pay period over the preceding four (4) pay periods unless exceeding this limit is specifically approved by the DMH Director, Senior Deputy Director, or respective CEO or MHA Deputy Director. Nurses at the RN-05/06 levels are exempt from this limitation.

6e. **Compensatory Time Off.** An authorized absence from official duty in lieu of payment for authorized overtime.

**7. Spending Control Plans.**

7a. The financial officer for each major DMH component (SEH, DC CSA, and MHA) is responsible for developing a Spending Control Plan for each fiscal year that includes as a component an Overtime Control Plan for the use of overtime in that fiscal year. The Overtime Control Plan should not envision regular, structured scheduling of overtime, but must be:

- (1) commensurate with the dollar amount budgeted for overtime in the responsibility center's object class 15;
- (2) sufficient to cover anticipated "special assignments," legal responsibilities or other external requirements; and
- (3) consistent with established departmental criteria for overtime.

7b. The Overtime Control Plan must be forwarded through the MHA Deputy Director of Fiscal and Administrative Services to the DMH Director for approval before the beginning of the fiscal year.

7c. Each financial officer is also responsible for monitoring the use of overtime, preparing a monthly overtime utilization report, and requesting re-programming of funds if additional overtime funds are required for the fiscal year.

If additional funds are required, a request to increase the overtime budget should be submitted in a decision memorandum to the DMH Director through the respective CEO and the MHA Deputy Director of Fiscal and Administrative Services. The request must include the reason(s) additional funds are needed and the amount required for the remainder of the fiscal year, and identify the object class from which the money can be re-programmed within the organization's budget. An overtime request for additional funds will not be considered by the DMH Director without the concurrence of the respective CEO.

Questions related to the preparation of the Spending Control Plan or re-programming of funds should be directed to the MHA Deputy Director of Fiscal and Administrative Services.

**8. Criteria for Requesting Overtime Work.** Requests for overtime work should be submitted under the following circumstances:

- 8a. It is necessary to meet minimum program needs for a safe/healthful environment (i.e., shift coverage consistent with the staffing plan; special clinical exigencies such as "suicide precautions" or "one-to-one special" situations; or critical shortages of specific clinical disciplines).
- 8b. Environmental deficiencies must be corrected that threaten the health or safety of consumers and/or staff as determined collaboratively by clinical and administrative program managers.
- 8c. It is necessary to respond to an emergency situation that directly threatens the safety of persons.
- 8d. It is necessary to perform unanticipated legal or other external requirements which are approved by the DMH Director.

8e. It is necessary to carry out an unplanned special assignment mandated by the DMH Director after determination that the assignment is programmatically justifiable when balanced against all other requirements for resources.

8f. Redeployment of regularly scheduled staff cannot meet the need. Redeployment may include both movement of staff (e.g., shift schedule changes or assignments to other duty stations) and changes in program alignments (e.g., consolidation of wards, changes in hours of operation). All changes affecting personnel must comply with applicable District personnel guidelines and union contract agreements.

8g. The work is to be performed in the organization (SEH, DC CSA, or MHA) where the employee is assigned. Cross-organization overtime must be approved by the respective CEO for SEH or DC CSA or the Senior Deputy Director for MHA offices.

9. **Procedure for Requesting Overtime Work**. The criteria in Section 8 above shall determine when overtime work should be requested. All overtime must be officially ordered and approved before work is performed, except in cases of emergency. The following procedures are to be used for requesting overtime.

9a. **The First-line Supervisor shall:**

(1) **Complete** DMH Form 21, Request for Authorization of Overtime Work (see Exhibit 1), indicating the employee(s) who will be working overtime.

- The justification should be brief but contain sufficient information for the approving official to decide whether or not the overtime is needed.
- DMH Form 21 may be used to request overtime for several employees, provided they have the same timekeeper. Employees with different timekeepers must have separate forms prepared.

(2) **Forward** DMH Form 21 to the approving official for signature prior to the performance of overtime work.

9b. **The Approving Official shall:**

(1) **Sign** DMH Form 21 if the overtime to be worked is justified, and retain a copy.

(2) **Return** the original DMH Form 21 to the requesting supervisor.

9c. If overtime is to be worked in a program area other than that to which the employee is assigned, the requesting supervisor of the program area needing the overtime work shall obtain the necessary approvals within his/her organization, and forward the DMH Form 21 to the "owning" supervisor to be recorded for timekeeping/payment purposes.

9d. Requests for overtime to meet an unanticipated emergency may be approved verbally by the respective CEO/MHA Deputy Director or designee. Verbal approval must be confirmed promptly by submitting a properly completed DMH Form 21 which indicates in the "Report of Emergency Overtime Work" space the date and name of the person who provided verbal approval.

**10. Monitoring Overtime.****10a. The First-line Supervisor shall:**

- (1) **Keep** accurate records concerning the overtime hours worked by his/her employees;
- (2) **Use** leave approval authority fairly but effectively so that unnecessary overtime is avoided;
- (3) **Act** promptly to correct patterns of frequent unscheduled absences that may contribute to unnecessary overtime work;
- (4) **Ensure** that overtime work is authorized in advance, in writing, by the approving official, or that verbal authorization is obtained in an emergency; and
- (5) **Ensure** that all efforts have been taken to re-deploy regularly scheduled staff within the program prior to requesting overtime work.

**10b. The Approving Officials shall:**

- (1) **Ensure** that first-line supervisors meet their responsibilities for controlling overtime;
- (2) **Take** corrective action toward supervisors who fail to meet their responsibilities for controlling overtime;
- (3) **Ensure** that only such overtime that meets departmental criteria for overtime work is approved (see Section 8 above); and
- (4) **Ensure** that obligations for overtime do not exceed available funds in overtime budget.

**10c. The Financial Officer for SEH, DC CSA, and MHA shall:**

- (1) **Prepare** a monthly overtime utilization report that compares the budget to actual expenditures and forecasts year-end totals, and submit through the respective CEO to the MHA Deputy Director of Fiscal and Administrative Services.
- (2) **Request** reprogramming of funds when forecasts indicate additional funds will be required to cover unanticipated overtime expenditures for the remainder of the fiscal year (see Section 7c above).

**11. Payment for Overtime Work.** Paid overtime shall be at rates established by DPM Instruction 11B, Subpart 7, Premium Pay, or by negotiated collective bargaining agreements. Paid overtime is authorized when the criteria for approval are met.

**12. Compensatory Time.** Compensatory time is an authorized absence from official duty in lieu of payment for authorized overtime. Wage Grade Schedule employees are required to be compensated in overtime pay for all overtime work. A District Service Schedule employee may request compensatory time in lieu of overtime pay for any irregular or occasional overtime work.

**12a.** Compensatory time off may be granted in lieu of paid overtime on the basis of one and one half hours off for each hour of overtime worked by employees at DS-10 and below. For grades DS-11 and above, compensatory time off is granted on the basis of one hour off for each hour worked.

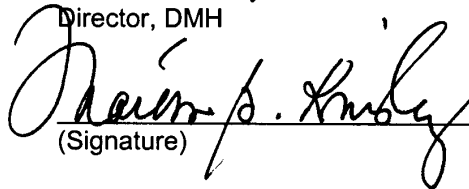
12b. Approval of compensatory time for exempt employees, DS-11 and above, may be granted by authorized supervisors if the criteria for overtime work are met. The only exception to this general DS-11 rule will be applicable to employees in the RN series and other employees in positions classified as a "shortage category," in which case the payment of cash overtime must be approved by DMH Director, Senior Deputy Director, or respective CEO or MHA Deputy Director before overtime is worked.

12c. Compensatory time shall be used within one (1) year from the time overtime is worked. However, the employee should be encouraged to take his/her compensatory leave within the three (3) months after it is earned or as soon thereafter as possible.

12d. When compensatory time off is requested, supervisors will advise employees if it appears that work loads will make taking the compensatory time unfeasible. While granting compensatory time off is discretionary, supervisors are responsible for making every effort to provide requesting employees the opportunity to take compensatory time off within designated time limits.

Approved by:

Martha B. Knisley  
Director, DMH

  
(Signature)

10/03/03  
(Date)



DMH Form 21 (Rev. 07/03)

**GOVERNMENT OF THE DISTRICT OF COLUMBIA  
DEPARTMENT OF MENTAL HEALTH****DMH Policy 717.1**  
Exhibit 1-9a(1)**OCT 03 2003****REQUEST FOR AUTHORIZATION OF OVERTIME WORK**☐ SEH   ☐ DC CSA   ☐ AUTHORITY

OFFICE/UNIT NAME: \_\_\_\_\_

NAME	SOCIAL SECURITY NO.	TITLE	GRADE	DATES	TIME FROM TO	NO. OF HOURS	P OR C*

**\*Indicate Paid (P) or Compensatory Time (C)****JUSTIFICATION: For overtime work that cannot be accomplished during the regular working hours.****JUSTIFICATION: For overtime in excess of 20 hours per person this pay period.** (Overtime request can only be approved by DMH Director, Senior Deputy Director, or respective CEO or MHA Deputy Director)**REPORT OF EMERGENCY OVERTIME WORK** (if applicable): Overtime was not authorized, in writing, in advance because it was impracticable or impossible to receive prior authorization due to the following emergency. However, verbal approval was obtained from \_\_\_\_\_  
on \_\_\_\_\_ (date) (name)**I certify that the above name employee(s) worked overtime.****REQUESTED BY:** \_\_\_\_\_ **TITLE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
Signature Print/Typed Name**APPROVED BY:** \_\_\_\_\_ **TITLE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
Signature Print/Typed Name